MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JUNE 27, 2007

PRESENT: Walter L. Alcorn, Commissioner At-Large
Frank A. de la Fe, Hunter Mill District
Earl L. Flanagan, Mount Vernon District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
Suzanne F. Harsel, Braddock District
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District

ABSENT: Timothy J. Sargeant, Commissioner At-Large

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The meeting was called to order at 8:17 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Hart announced that the Planning Commission's Environment Committee had met earlier this evening for further discussion with staff regarding the upcoming Policy Plan amendment addressing air quality and “green” building. He noted that he, Commissioner Sargeant, Pam Nee and Noel Kaplan, from the Department of Planning and Zoning, Zack Fields, from the Board of Supervisors' Chairman's office, and several representatives of the Northern Virginia Building Industry Association (NVBIA), had toured a “green” house under construction in Arlington led by Lou Sagatov, NVBIA. He said an open house would be held at this house and Commissioners would be notified by e-mail of the date on which this would take place.

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ 2007-SU-005, JOHN J. SCHLICK, TO A DATE CERTAIN OF JULY 11, 2007.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON CPA 86-C-121-2-3, RESTON SPECTRUM, LLP, TO SEPTEMBER 26, 2007.

Commissioners Hopkins and Alcorn seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

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FDPA 2002-DR-019 – MUSIC MAKERS MCLEAN, LLC (Decision Only)
(The public hearing on this application was held on June 21, 2007. A complete verbatim transcript of the decisions made id included in the date file.)

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 2002-DR-019, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JUNE 22, 2007.

Commissioners Koch, Lawrence, Alcorn, and de la Fe seconded the motion which carried by a vote of 11-0-1 with Commissioner Murphy abstaining; Commissioner Sargeant absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. CSPA 2003-MA-030 – JEFFERSON/EDSALL ROAD
2. 2232-L06-19 – T-MOBILE NORTHEAST, LLC

This order was accepted without objection.

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CSPA 2003-MA-030 – JEFFERSON/EDSALL ROAD – Appl. to amend the previously approved Comprehensive Sign Plan for CSP 2003-MA-030 to permit a revised comprehensive sign plan for mixed use development. Located on the S. side of Edsall Rd. and E. side of Bren Mar Dr. on approx. 11.95 ac. of land zoned PRM. Tax Map 81-1 ((1)) 7H pt. MASON DISTRICT. PUBLIC HEARING.

Commissioner Hall requested that Chairman Murphy ascertain whether there were any speakers for this application. There being none, Chairman Murphy asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore,

he closed the public hearing and recognized Commissioner Hall for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION APPROVE CSPA 2003-MA-030, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS, DATED JUNE 13, 2007, WITH THE FOLLOWING CHANGE TO DEVELOPMENT CONDITION NUMBER 13: "GRAPHICS ON AWNING AND WINDOWS THAT CONTAIN TEXT SHALL COUNT AGAINST ALLOWABLE SIGN AREA."

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

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> 2232-L06-19 – T-MOBILE NORTHEAST, LLC – Appl. to develop a T-Mobile telecommunications facility consisting of a 150-foot monopole and related equipment located at 7700 Southern Drive. Tax Map 79-4 ((1)) 3E. Area IV. Copies of the application and a more specific description of the facility may be obtained from the Department of Planning and Zoning, 7th floor, Herrity Building, 12055 Government Center Parkway, Fairfax. LEE DISTRICT. PUBLIC HEARING.

Anita Capps, Planning Division (PD), Department of Planning and Zoning (DPZ) presented the staff report, a copy of which is in the file. She stated that staff recommended approval of the application.

Commissioner Lusk announced that at the end of the public hearing, he would recommend deferral of the decision only until July 11, 2007. He stated that this would be after the July 9, 2007 meeting of the Lee District Land Use Committee, who would vote on the item, noting that many questions had been raised.

Ed Donohue, Esquire with Donohue & Blue, PLC, stated that after having surveyed several locations, T-Mobile had determined that, given the large volume of calls per day, the proposed location at Southern Drive, in the industrial park near Lake Accotink Park, was the only appropriate one. He explained that during the month of June, a test had shown that the number of dropped calls came to approximately 700 per day. He added that he had been approached by people who had attended the balloon tests who said they hoped other carriers planned to co-locate at the site since their coverage in the area was so poor. Mr. Donohue emphasized that the proposed tower would allow for multiple carriers, noting that Cingular had first identified the proposed site and was interested in co-locating; hence, he was sure that there would be no problem in filling the available co-locator slots. He stated that both the Park Authority and the County's Historic Preservation Planner concurred with T-Mobile locating on the industrial site. The latter stated that there would be no adverse effect on the surrounding area. (A copy of the letter is in the date file.) In regard to lighting and guy wires, Mr. Donohue reminded everyone

that the monopole did not require either and in fact, since the pole had changed location from its original site, it would actually lose footage, making it shorter than originally planned.

Commissioner Harsel questioned Mr. Donohue on the loss of height, particularly with regard to the ability to maintain coverage. In response, Mr. Donohue assured her that T-Mobile and its co-locators would continue to get coverage.

Chairman Murphy then called for the listed speakers and recited the rules for public testimony.

Mary Lipsey, 8103 Adair Lane, Springfield, addressed the Planning Commission as a member of the History Commission, pointing out that the Civilian Conservation Corps (CCC) Fire Trail ran through Lake Accotink Park, providing a package containing the Camp Report and map of the CCC Fire Trail from the 1930s. Having done extensive research on the CCC, Ms. Lipsey explained that since the coming year would be its 75th Anniversary, she was working on the placement of a historical marker in the park. She stated that the monopole would be within 100 yards of where she planned to place the marker, and it would detract from the overall historic presence of Lake Accotink. She further noted the park's historic importance in relation to Civil War activity in the area. Ms. Lipsey asked if the proposed site was the best site simply because it would be located in an industrial park, and if so, she asked if the applicant could possibly move it to another industrial site, i.e., Edsall Industrial Park. She closed by noting that Senator Bristow, in 1937, had said he would have liked to have a game preserve in the Lake Accotink area. (A copy of Ms. Lipsey's packet is in the date file.)

Chairman Murphy pointed out that the Comprehensive Plan preferred industrial areas for monopoles. He then asked Ms. Lipsey to point out the CCC Fire Trail in relation to the monopole on the projected map. She showed him the trail's path through Lake Accotink Park up to the industrial area, explaining that the trail had been destroyed by the industrial park.

Commissioner Lusk asked Ms. Lipsey if she had been in contact with Linda Blank, DPZ, regarding the trail. She said they had talked, but she had not personally gone to see the site until the day before the Planning Commission meeting, realizing only at that point where the pole would actually stand. When Commissioner Lusk asked if she would share her information with Ms. Blank, she said she would. In response to Commissioner Lusk's question regarding the status of the historic marker, Ms. Lipsey told him she had not yet purchased it because she was finishing up her research. When he asked her how much the marker would cost, she told him that a Fairfax County historic marker would be $1,600.00.

When asked by Commissioner Hall if there were other utility poles in the Lake Accotink area, Ms. Lipsey told her there was a large telephone line that crossed the access road. Commissioner Hall explained that there was considerable vegetation around the trail for protection, but also that the trail was in fact next to an industrial area. She noted that putting structures like monopoles there would minimize the impact on the surrounding areas. She further stated that the trail would be well-buffered from the industrial area, given the vegetation and trees around it, and added that the existing building and poles simply blended into the background. Ms. Lipsey argued that the

staff report did not clearly describe the site and the pole would in fact be visible, saying there were points in the park where one could see the railroad and the industrial building, and so the pole would be quite visible.

Commissioner Lusk commented on the issue of height by noting that both he and Commissioner Harsel had attended two balloon tests and the difference in height between the two locations for the monopole was very dramatic. He said that while driving in the surrounding areas, it was very difficult to locate the balloon. He acknowledged the impact the pole would have on the north Springfield side of the site, but noted it too would have adequate coverage with trees in excess of 75 feet or more.

Commissioner Harsel explained that she appreciated Ms. Lipsey's efforts, asking if she could relocate the marker up or down the trail, perhaps near the office, since that was an area of high activity. Ms Lipsey said she could. Commissioner Harsel further commented that the report on this item had been available for some time and expressed her surprise that Ms. Lipsey had not been present for the balloon tests given the amount of time she spent at the Supervisor's office. She noted that of the people who did attend the tests, she heard only one objection to the monopole.

Commissioner Lusk requested that T-Mobile examine the feasibility of placing the marker in a location designated by Ms. Lipsey as well as underwriting the cost for the marker should the application be approved, noting that he would like to have T-Mobile's response to this request at the next Land Use Committee meeting.

When Commissioner Flanagan asked Ms. Lipsey if the original location of the monopole would be farther away from the historical marker, she replied that she was not sure because she did not know the exact original location.

Chairman Murphy commented that he felt the monopole would have no impact on the marker at all, but rather that people would simply be glad the marker was there.

Susan Jewell, representing the Springfield Civic Association, 7414 Essex Avenue, Springfield, stated that she did not feel that the Commission had been serving her community well, due to a series of miscommunications and previously missed hearings due to erroneously posted hearing and balloon test dates. She noted that the balloon tests had been inadequate due to the balloon's size and color. She said that the Springfield Civic Association had invited the applicant to one of their meetings, and the applicant agreed to go; however, no one showed up at the meeting, nor was a reason provided for failing to do so, either before or after the meeting. In regard to the monopole, Ms. Jewell took issue with the height, saying that the surrounding trees would not only provide inadequate screening but, more importantly, those trees were home to a variety of birds and bats. She explained that the tower would pose a risk to many migratory birds that flew both during the night and through fog and might collide with the tower. She expressed her agreement with Ms. Lipsey regarding the historic nature of Lake Accotink Park, adding that she did not wish to see the community overwhelmed by towers and industrial parks. She said that she had contacted members of her association and found no one in favor of this application.

She went on to say that T-Mobile currently had adequate coverage in the area. Ms. Jewell then questioned the practicality of the application, saying that the tower would be immediately adjacent to an environmental quality corridor (EQC) and resource protection area (RPA). She asked for definitions of "immediate area" and "environmentally sensitive." She noted that the monopole would be visible from many homes in the community and that many homeowners feared their properties would depreciate in value as a result of the tower. Ms. Jewell concluded by saying that at the last Lee District Land Use meeting, Commissioner Lusk had stated that should the community vote against the tower, they would lose credibility with the Planning Commission. She felt that her community needed to do what was best for their needs.

In response to Chairman Murphy's question regarding the location of the monopole, Ms. Capps said it would be located in the industrial park near, but not in, the environmentally sensitive area. She also confirmed that monopoles had been placed inside Fairfax County parks in the Mason, Lee, and Mount Vernon Districts.

Responding to a question from Commissioner Hart regarding the Federal statute, David Marshall, PD, DPZ, said that he was not aware of a case where birds and environmental surroundings had been allowed for consideration of locations for monopoles. He explained that while he believed environmental interests should be considered, he believed the statute was geared more toward human health considerations. Mr. Marshall said that staff had researched bird and tower collisions on the internet and the information indicated that the problem occurred more often with towers that were tall, guyed, and lit. He noted that the proposed monopole would have none of those characteristics.

Commissioner Hall asked Mr. Marshall questions about impacts of monopoles. He explained that he had no information indicating that a monopole would have a detrimental effect on the value of the surrounding homes and that he was unaware of any significant impact on wildlife as a result of monopole structures.

Commissioner Harsel asked Ms. Jewell if she had an alternate location for the monopole. Ms. Jewell stated that she could speak only for her community, saying that it should not be near any houses or woods, adding that she was a wildlife biologist and that some of the suggestions offered in the meeting would not be feasible. She went on to say that since there would be development in the Central Springfield, a tower might go there. She also suggested that the Commerce Street and Backlick Road areas, as well as Springfield Plaza be considered as possible locations. She commented on the applicant's note that the proposed site was a "dead zone," acknowledging that it might be the case, but argued that communities might be overwhelmed by cell phone towers filling numerous "dead zones." She reiterated that T-Mobile already had adequate coverage in the area.

Commissioner Harsel explained that some of the sites Ms. Jewell suggested would not be feasible and that service providers would be able to co-locate on the tower, alleviating the need for additional facilities.

Commissioner Hall requested that Ms. Jewell provide the Planning Commission with documentation on the impacts of birds and monopoles, since this was an issue that often arose at hearings for monopoles.

Chairman Murphy added that even if there were such documentation, he could not support a motion to deny this application based on the possibility of a bird colliding with a monopole. He went on to explain that given the site's location in relation to the highway, the number of accidents in the area, the number of people who carry cell phones nowadays, and the projected number of dropped calls in the area, it was a matter of supply and demand. He further pointed out to Ms. Jewell that the cell phone carrier that provided her service might well come from a tower that was equally as environmentally challenging in its location.

Addressing Ms. Jewell's remarks, Commissioner Lusk acknowledged that there had been some confusion about the date of the balloon test and explained that after discovering T-Mobile had sent the crane to the site on the wrong date, the application had been deferred and another balloon test scheduled. He requested that the applicant substantiate its claim of inadequate coverage in the area and also asked staff to further define what was considered to be the "immediate area" of an environmentally sensitive site. He said he would like this information to be presented at the next meeting of the Lee District Land Use Committee on July 9, 2007, when this application would again be reviewed. Commissioner Lusk said Ms. Jewell had misunderstood the remark he had made at the previous Land Use Committee meeting about the Planning Commission's vote. He explained that he had said that even if he were to move that the Planning Commission deny the application, it was not a guarantee that it would be denied, since each Commissioner voted independently.

There being no more speakers, Chairman Murphy called for a rebuttal statement from the applicant.

Mr. Donohue stated that although building a new tower would be more costly than co-locating on an existing one, there was an explicit need for a new structure as evidenced by the 700 dropped calls. He recalled that at the last Lee District Land Use Committee meeting, a representative from the Fire and Rescue Department had indicated that personnel carried two or three phones with different carriers, hoping that at least one of them would work in an emergency. Mr. Donohue pointed out that the monopole would be located in the industrial park consisting of approximately ten acres that allowed for heavy industrial use and could accommodate significant bulk and height. He said approval of the application would allow T-Mobile to fill a void in coverage, not only for its own customers, but for those of other carriers who would co-locate on the tower.

In response to questions from Commissioner Lawrence, Mr. Donohue first clarified that T-Mobile had 700 "dropped" experiences per day. He then explained the term "e-911" as "enhanced 911" services, where responders might find someone more easily if their phone was not working.

There were no additional speakers, no further comments, or questions from the Commission, and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Lusk for action on these items. (A verbatim transcript is in the date file.)

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Commissioner Lusk MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR 2232-L06-19, T-MOBILE NORTHEAST, LLC, TO A DATE CERTAIN OF JULY 11, 2007, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN AND ELECTRONIC CORRESPONDENCE.

Commissioners Alcorn and Lawrence seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

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The meeting was adjourned at 9:41 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, VA 22035.

Minutes by: Jeanette Phillips

Approved on: April 16, 2009

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Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission